



Department of Energy  
National Nuclear Security Administration  
Office of the General Counsel  
P. O. Box 5400  
Albuquerque, NM 87185



SEP 30 2014

**FEDEX DELIVERY – CONFIRMATION RECEIPT REQUESTED**

MUCKROCK NEWS  
c/o Samuel E. Stokes  
DEPT MR 28293  
411A Highland Ave  
Somerville, Massachusetts 02144-2516

Dear Mr. Stokes:

This letter is your final response to your September 29, 2016 Freedom of Information Act (FOIA) request.

**Your request stated the following:**

Requesting any documents, memorandums, notes, files, diagrams, images or other written documentation that has not been previously declassified and made publicly available concerning the design, testing, change orders, problems encountered, fixes for problems encountered of the W-31 warhead. Documentation of the identification of the various Departments and Sections responsible for the design and testing of the W-31, as well as the identification of the key personnel responsible for such work. For example, vibration tests, tests of the PAL, cabling, pressure tests, and initiator tests. Including any documentation relating to the making of the W-31 warhead to the Nike missile system. Any documentation on the use of the W-31 on any other weapon systems or devices. Information identifying, by name and date, and location all tests, for proof of concept, safety, effects, or other testing purposes. Further, request a mandatory declassification of the yields of various warheads for the Nike Hercules system.

We contacted the Sandia Field Office (NA-SN) regarding your request. NA-SN also forwarded your request to the management and operating contractor, National Technology & Engineering Solutions of Sandia, LLC (NTESS) to conduct a search for responsive records. NA-SN and NTESS conducted a search and found 17 responsive records.

The enclosed CD contains the information you requested, with redactions pursuant to 5 U.S.C. § 552(b)(6), Exemption 6 and 5 U.S.C. § 552(b)(7)(F), Exemption 7 of the FOIA.

The purpose of Exemption 6 is to protect individuals from the injury and embarrassment that can result from the unnecessary disclosure of personal information. To determine whether disclosure would constitute a clearly unwarranted invasion of personal privacy, the public interest in disclosure, if any, must be balanced against the privacy interests that would be invaded by disclosure of the information. In this case, the names of contractor employees have been withheld. Release of this information pertaining to these contractor employees will cause inevitable harassment and unwarranted solicitation for those individuals. In addition, release of this information would not shed light on the operations of the federal government.



Since its release will not reveal anything of significance to the public, the interest in protecting against the invasion of privacy that would result to the individual in question far outweighs the public interest in such disclosure.

It is widely held that federal employees have no expectation of privacy regarding their names. See 5 CFR § 293.311 (1994); Core v. United States Postal Serv., 730 F.2d 946, 948 (4th Cir. 1984); National W. Life Ins. Co. v. United States, 512 F. Supp. 454, 461 (N.D. Tex. 1980). Therefore, the disclosure of such information about federal employees would involve little or no invasion of privacy. Contractor employees, however, are not federal employees. Rather, they are private individuals. The Supreme Court has long found a privacy interest in the names of private individuals significant enough to warrant protection from disclosure under Exemption 6.

Exemption 7(F) of the FOIA protects records or information compiled for law enforcement purposes the disclosure of which could reasonably be expected to endanger the life or physical safety of any individual. The information redacted reveals specific nuclear weapons information of interest and potential value to adversaries harboring a desire for the development or further development of nuclear weapons. Release of such information could ultimately lead to our nation and its citizens, generally, being put at risk of physical harm. The redacted information would also permit linkages to the current nuclear stockpile. These linkages could then be exploited to reveal apparent potential weaknesses of the weapons systems.

Pursuant to 10 CFR § 1004.7(b)(2), I am the individual responsible for the withholding of the information mentioned above pursuant to Exemption 6 and Exemption 7(F) of the FOIA.

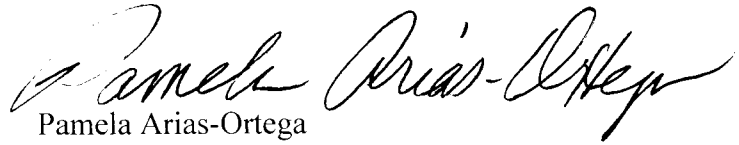
You may appeal the withholding of redacted information pursuant to 10 CFR § 1004.8. Such an appeal must be made in writing within 90 calendar days after receipt of this letter, and may be submitted electronically to [FOIA.filings@hq.doe.gov](mailto:FOIA.filings@hq.doe.gov) or by regular mail, addressed to the Director, Office of Hearings and Appeals, HG-1, U.S. Department of Energy, 1000 Independence Avenue SW, L'Enfant building, Washington, DC 20585. Your appeal must contain a concise statement of the grounds for the appeal and a description of the relief sought. Please submit a copy of this letter with the appeal. Please clearly mark both the envelope and the letter "Freedom of Information Appeal." Thereafter, judicial review will be available to you in the District of Columbia or in the district where (1) you reside, (2) you have your principal place of business, or (3) the Department's records are situated.

You may contact me, the NNSA's FOIA Public Liaison at 1-866-747-5994, or by mail at Department of Energy, National Nuclear Security Administration, Office of the General Counsel, PO Box 5400, Albuquerque, NM 87185, for further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at (202) 741-5770; toll free at 1-877-684-6448; or facsimile at (202) 741-5769.



There are no fees chargeable to you for processing this request. If you have questions please contact Mr. Roberto Marquez by e-mail at [Roberto.Marquez@nnsa.doe.gov](mailto:Roberto.Marquez@nnsa.doe.gov), or write to the address above. Please reference Control Number FOIA 17-00020-R.

Sincerely,

A handwritten signature in black ink, appearing to read "Pamela Arias-Ortega". The signature is fluid and cursive, with the first name "Pamela" being more prominent and the last name "Arias-Ortega" following in a similar style.

Pamela Arias-Ortega  
FOIA Officer

Enclosure

